United Nations S/2012/96

Security Council

Distr.: General
16 February 2012

Original: English

Letter dated 16 February 2012 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Further to my letters dated 14 February 2012 and 9 February 2012, regarding the revised text of the draft resolution on the renewal of the mandate of the Panel of Experts, I have the honour to refer you to the statement made by the Director of the Africa I Division of the Department of Peacekeeping Operations of the Secretariat, Margaret Carey, during her visit last week to the Sudan to review the status of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). Ms. Carey confirmed during her meeting with His Excellency Mr. Rahamtallah M. Osman, Under-Secretary of the Ministry of Foreign Affairs, that her team had observed remarkable improvement regarding the security situation on the ground in Darfur, especially the security aspect, apart from a few pockets in certain areas. In that light, she also conveyed to the Under-Secretary that her team would also propose a reduction of the military component of UNAMID.

I have further the honour to convey, as I did in the above-mentioned letters, that the content of the revised draft resolution regarding the renewal of the mandate of the Panel of Experts contradicts all the realities on the ground in Darfur, and in particular the findings of the review team of Margaret Carey, as I stated above.

It would be prudent at this stage that any document issued by the Security Council regarding the situation in Darfur be factual and not a reproduction of the historical facts in Darfur; furthermore, the spirit of the resolution should reflect the positive enhancement of the situation on the ground and encourage the promotion of a culture of peace in order to help all parties establish peace and security in Darfur and the entire region.

I would appreciate if the present letter could be circulated as a document of the Security Council.

(*Signed*) Daffa-Alla Elhag Ali **Osman**
Permanent Representative

12-23514 (E) 170212

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United Nations S/2012/97

Security Council

Distr.: General
17 February 2012

Original: English

United States of America: draft resolution

The Security Council,

Recalling its previous resolutions and statements of its President concerning Sudan,

Reaffirming its commitment to the cause of peace throughout Sudan, to the sovereignty, independence, unity and territorial integrity of Sudan, to the full and timely resolution of outstanding Comprehensive Peace Agreement (CPA) issues, *welcoming* the Doha Document for Peace in Darfur, and *recalling* the importance of the principles of good neighbourliness, non-interference and cooperation in the relations among States in the region,

Recognizing that the Darfur conflict cannot be resolved militarily and a durable solution can only be obtained through an inclusive political process,

Reiterating its full support for efforts to reach a comprehensive and inclusive solution to the conflict in Darfur, and welcoming the Doha Document for Peace in Darfur as a basis for these efforts, the need for the completion of the political process, and an end to the violence and abuses in Darfur,

Urging the Government of Sudan and the Liberation and Justice Movement (LJM) to deliver on the commitments made in the Doha Document for Peace in Darfur, and *urging* all parties, in particular other armed movements who have not signed the Doha Document for Peace in Darfur, to indicate a willingness to negotiate without preconditions or further delays on the basis of the Doha Document for Peace in Darfur and fully participate in the Joint African Union/United Nations Mediation,

Welcoming the inauguration of the Darfur Regional Authority as an important step in the implementation of the Doha Document for Peace,

Demanding that the parties to the conflict exercise restraint and cease military action of all kind, including aerial bombardments,

Demanding an immediate and complete cessation by all parties to armed conflict of all acts of sexual violence against civilians in line with resolutions 1325 (2000), 1820 (2008), 1888 (2009), and 1889 (2009); recruitment and use of children in line with resolutions 1998 (2011), 1612 (2005), and 1882 (2009); and indiscriminate attacks on civilians in line with resolution 1894 (2009),

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Commending the efforts of, and reiterating its full support for, the United Nations/African Union Hybrid Operation in Darfur (UNAMID), the Joint African Union/United Nations Mediation, the United Nations Secretary-General, the African Union High Level Implementation Panel on Sudan, and the leaders of the region to promote peace and stability in Darfur, and expressing strong support for the political process under the African Union/United Nations-led mediation,

Urging enhanced cooperation and information sharing between UNAMID and the Panel of Experts, called for by the Department of Peacekeeping Operations' guidelines and with the assistance of the UNAMID focal point,

Recalling the 28 June 2011 midterm report by the Panel of Experts appointed by the Secretary-General pursuant to paragraph 3 (b) of resolution 1591 (2005) and extended by subsequent resolutions, *taking note* of the Panel of Expert's final report, and *expressing* its intent to study, through the Committee, the Panel's recommendations and to consider appropriate next steps,

Expressing concern over the obstacles that have been imposed on the work of the Panel of Experts during the course of its last mandate, including delays in the issuance of visas and travel permits, and restrictions to the freedom of movement of the Panel of Experts and UNAMID,

Emphasizing the need to respect the provisions of the Charter concerning privileges and immunities, and the Convention on the Privileges and Immunities of the United Nations, as applicable to United Nations operations and persons engaged in such operations,

Reminding all States, particularly States in the region, of the obligations contained in resolutions 1556 (2004), 1591 (2005), and 1945 (2010) in particular those obligations relating to arms and related materiel,

Stressing the necessity articulated in the Doha Document for Peace in Darfur that all Parties to the armed conflict in Darfur shall fully and unconditionally accept their obligations under international humanitarian law, international human rights law, and relevant Security Council resolutions,

Calling on the Government of Sudan to fulfil all its commitments, including lifting the state of emergency in Darfur, allowing free expression and undertaking effective efforts to ensure accountability for serious violations of international human rights and humanitarian law, by whomsoever perpetrated,

Emphasizing the imperative, highlighted in the Doha Document for Peace in Darfur, to refrain from all acts of violence against civilians, in particular vulnerable groups such as women and children, and from violations of human rights and international humanitarian law and the need to address the urgent humanitarian crisis faced by the people of Darfur, including the guarantee of unrestricted humanitarian access to all areas,

Noting that acts of hostility, violence or intimidation against the civilian population, including IDPs, in Darfur and other activities that could endanger or undermine the Parties' commitment to a complete and durable cessation of hostilities would be inconsistent with the Doha Document for Peace in Darfur,

Determining that the situation in Sudan continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend until 17 February 2013 the mandate of the Panel of Experts, originally appointed pursuant to resolution 1591 (2005) and previously extended by resolutions 1651 (2005), 1665 (2006), 1713 (2006), 1779 (2007), 1841 (2008), and 1891 (2009), 1945 (2010), and 1982 (2011) and *requests* the Secretary-General to take the necessary administrative measures, including basing arrangements, as expeditiously as possible;

2. *Notes* the creation on 11 January 2012 of two additional states in Darfur, and *confirms* that all previous references to North, South and West Darfur shall apply to all the territory of Darfur, including the new states of Eastern and Central Darfur;

3. *Decides* that the listing criteria set out in paragraph (3) (c) of resolution 1591 (2005) shall also apply to entities;

4. *Decides* that the exemptions in support of the implementation of the Comprehensive Peace Agreement set forth in paragraph 7 of resolution 1591 (2005) and further clarified in paragraph 8 (b) of resolution 1945 (2010) shall no longer apply;

5. *Requests* the Panel of Experts to provide no later than 31 July 2012, a midterm briefing on its work and no later than 90 days after the adoption of this resolution an interim report to the Committee established pursuant to paragraph 3 (a) of resolution 1591 (2005) (hereinafter "the Committee") and a final report no later than 30 days prior to termination of its mandate to the Council with its findings and recommendations;

6. *Requests* the Panel of Experts to provide monthly updates to the Committee regarding its activities, including Panel travel, any obstacles encountered to the fulfilment of its mandate, as well as violations of the sanctions;

7. *Requests* the Panel of Experts to report, in the timeframe identified in paragraph 5, on the implementation and effectiveness of paragraph 10 of resolution 1945 (2010);

8. *Requests* the Panel of Experts to coordinate its activities as appropriate with the operations of the United Nations/African Union Hybrid Operation in Darfur (UNAMID) and with international efforts to promote the political process in Darfur, and to assess in its interim and final reports progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution 1556 (2005), paragraph 7 of resolution 1591 (2005), and paragraph 10 of resolution 1945 (2010), progress towards removing impediments to the political process, threats to stability in Darfur and the region, violations of international humanitarian or human rights law or other atrocities, including sexual- and gender-based violence, and other violations of the above-mentioned resolutions, and to provide the Committee with information on the individuals and entities that meet the listing criteria in paragraph 3 (c) of resolution 1591;

9. *Regrets* that some individuals affiliated with the Government of Sudan and armed groups in Darfur have continued to commit violence against civilians, impede the peace process, and disregard the demands of the Council, *expresses* its intention to impose targeted sanctions against individuals and entities that meet the listing criteria in paragraph 3 (c) of resolution 1591 (2005), and *encourages* the

Panel of Experts, in coordination with the Joint African Union/United Nations Mediation, to provide to the Committee when appropriate the names of any individuals, groups, or entities that meet the listing criteria;

10. *Requests* the Panel of Experts to continue to investigate the role of armed, military, and political groups in attacks against UNAMID personnel in Darfur, and *notes* that individuals and entities who plan, sponsor or participate in such attacks constitute a threat to stability in Darfur and may therefore meet the designation criteria provided for in paragraph 3 (c) of resolution 1591 (2005);

11. *Expresses* its concern that certain items are being converted for military purposes and transferred to Darfur, and *urges* all States to be mindful of this risk in light of the measures contained in resolution 1591 (2005);

12. *Urges* all States, relevant United Nations bodies, the African Union and other interested parties, to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on implementation of the measures imposed by resolution 1591 (2005) and resolution 1556 (2004), and *calls on* all States to remove all obstacles to the work of the Panel of Experts, particularly to freedom of movement, including by issuing timely visas and travel permits;

13. *Urges* all States, in particular those in the region, to report to the Committee on the actions they have taken to implement measures imposed by resolutions 1591 (2005) and 1556 (2004), including imposition of targeted measures;

14. *Expresses its concern* that the travel ban and asset freeze on designated individuals is not being implemented by all States, and requests the Committee to respond effectively to any reports of non-compliance by States with paragraph 3 of resolution 1591 (2005) and resolution 1672 (2006), including by engaging with all relevant parties;

15. *Expresses* its intention, following the midterm report, to review the state of implementation, including obstacles to full and effective implementation of the measures, imposed in resolution 1591 (2005) and 1945 (2010), with a view to ensuring full compliance;

16. *Reaffirms* the mandate of the Committee to encourage dialogue with interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures and further encourages the Committee to continue its dialogue with UNAMID;

17. *Welcomes* the Committee's work, which has drawn on the reports of the Panel of Experts and taken advantage of the work done in other fora, to draw attention to the responsibilities of private sector actors in conflict affected areas;

18. *Decides* to remain actively seized of the matter.

United Nations A/66/702–S/2012/98

General Assembly
Security Council

Distr.: General
17 February 2012

Original: English

General Assembly
Sixty-sixth session
Agenda item 35
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-seventh year

Identical letters dated 15 February 2012 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith a statement of the Ministry of Foreign Affairs of Georgia dated 15 February 2012, in reaction to the formation of a so-called Ossetian battalion at the 4th Guards' military base of Russian occupation troops in the occupied region of Tskhinvali (see annex).

I should be grateful if you would have the present letter and its annex issued as a document of the sixty-sixth session of the General Assembly, under agenda item 35.

(*Signed*) Alexander **Lomaia**
Ambassador
Permanent Representative

12-23630 (E) 210212

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United Nations A/66/705–S/2012/99

General Assembly
Security Council

Distr.: General
21 February 2012

Original: English

General Assembly
Sixty-sixth session
Agenda item 68
Right of peoples to self-determination

Security Council
Sixty-seventh year

Identical letters dated 15 February 2012 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to enclose herewith a letter from Aliakbar Salehi, Minister for Foreign Affairs of the Islamic Republic of Iran, addressed to you concerning the situation in Bahrain (see annex).

It would be appreciated if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 68, and of the Security Council.

(*Signed*) Mohammad **Khazaee**
Ambassador
Permanent Representative

12-23770 (E) 230212

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Annex to the identical letters dated 15 February 2012 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General and the President of the Security Council

As you are aware, for almost one year the continued and violent crackdown against the peaceful movement of the nation of Bahrain, which has sought the realization of its legitimate civil rights and has objected to the systematic violation of human rights and the discriminatory policies in that country, has been continuing.

A great number of people in this low-populated country have been killed, wounded, tortured and disappeared as a result of this systematic suppression, which has entailed gross violation of human rights including through foreign military intervention and suppression by the Government's agents.

The continuation of such a trend, especially the insistence on dispatching military forces to deal with peaceful demands of a people who are asking for their basic right of "one Bahraini, one vote", paves the way for more violation of the people's basic rights and threatens peace and stability in the region.

The Government of the Islamic Republic of Iran, following its basic policies of respecting the goals and principles of the Charter of the United Nations, non-interference in the domestic affairs of other countries, and good-neighbourliness in its relations with neighbouring States, expresses its repeated deepest concerns about the developments in Bahrain, as they constitute a clear manifestation of grave violations of the international rules and regulations on human rights. The Islamic Republic of Iran warns against the serious consequences of foreign military interference there, which has, in effect, aimed at suppressing the movement in Bahrain by using all violent means against innocent civilians, and reminds the State of Bahrain and the interfering Government of their international responsibilities.

It seems the double standards and the hypocritical approaches of those with a greater role in the international decision-making process have increasingly encouraged the systematic domestic and foreign violators of human rights in Bahrain. Their short-sighted views have practically encouraged the killing of Bahraini civilians by using all political and propaganda apparatus in a targeted manner.

The shared human values and ethics of today's civilized world, which are derived from the aspirations and the experience of the United Nations as well as the great teachings of Islam as the common ground of our people in the region, make us wary of the atrocities happening in Bahrain. Furthermore, the widespread and brutal foreign intervention has taken the issue beyond the boundaries of Bahrain and has, increasingly, threatened regional security and stability.

The Islamic Republic of Iran, while reiterating its commitment to the principles of the Charter of the United Nations, the norms of international law and respect for the independence and territorial integrity of Bahrain, strongly believes in the efforts to achieve a political solution to defuse the crisis in Bahrain through taking the required confidence-building measures for just talks. Iran condemns the continued egregious and systematic violation of the accepted international regulations on preventing the gross violation of human rights. The Islamic Republic

of Iran considers the continuation of foreign intervention in the country as a move to suppress the civilian population militarily, which paves the way for human rights violations and is against the norms of international law. Iran warns against the widespread consequences of these developments for the internal stability of Bahrain and regional peace and security.

There is no doubt that your position and responsibilities require that all available means and measures, along with your legal status, be utilized to draw the attention of the international community to the atrocities in Bahrain, to make the Bahraini Government avoid gross and systematic violation of the civilian population's human rights and to recall the necessity for the immediate halt to foreign military intervention in Bahrain's affairs.

Naturally, world public opinion, in particular the collective memory of the Muslim peoples in our region, observes carefully the current events in Bahrain and would not excuse the double standard and the selective approaches vis-à-vis the occurring developments in the region.

Aliakbar **Salehi**
Minister for Foreign Affairs

United Nations S/2012/100

Security Council

Distr.: General
17 February 2012

Original: English

Identical letters dated 17 February 2012 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write following another week in which Israeli citizens felt the evil of terrorism inside our country and around the world. As terrorist attacks shook cities from Bangkok to Tbilisi to New Delhi — rockets continued to rain out of the Gaza Strip, exploding in communities throughout southern Israel.

In letter after letter, I have made clear that the rockets fired from Gaza could ignite an escalation of conflict in our already volatile region. Yet, the Security Council has still not uttered a single syllable of condemnation against them.

In the past two weeks alone, 11 rockets were fired from Gaza into Israeli cities, landing in the areas of Sha'ar Hanegev, Sdot Hanegev, Eshkol and Ashkelon.

Today, terrorists fired two rockets into southern Israel — and attacked an Israel Defense Forces border patrol, using rocket propelled grenades and an improvised explosive device.

On the evening of 10 February 2012, two rockets were fired into the communities of Kibbutz Zikim and Kibbutz Alumim, injuring a woman. It is only by chance that these attacks did not cause a much larger tragedy, considering that one rocket exploded between two fully occupied homes as the residents were observing the Sabbath.

It is high time that the Security Council condemned these attacks fully and unequivocally, not only as grave violations of international law but also as serious threats to regional peace and security. Israel expects the Security Council, and all responsible members of the international community, to condemn the relentless rocket fire from Gaza without any further delay.

Each of these attacks reveals the character and intentions of the Hamas terrorist organization, which remains in de facto control of Gaza and continues to be supported, funded and armed by the Iranian regime. Hamas leader Ismail Haniyeh made this clear during his visit to Iran this week, when he said that "we can obtain our goals only through fighting and armed resistance".

12-23645 (E) 210212

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Israel holds the Hamas terrorist organization fully responsible for all attacks emanating from Gaza. Israel has exercised and will continue to exercise its right to self-defence, as appropriate, and will take all necessary measures to protect its citizens.

I should be grateful if you would have the present letter distributed as a document of the Security Council.

(*Signed*) Ron **Prosor**
Ambassador
Permanent Representative

United Nations S/2012/101

Security Council

Distr.: General
17 February 2012
English
Original: French

Letter dated 16 February 2012 from the Secretary-General addressed to the President of the Security Council

The mandate of the Special Tribunal for Lebanon ("Special Tribunal") expires on 29 February 2012. Article 21, paragraph 2, of the Annex to Security Council resolution 1757 (2007) provides that if the Special Tribunal's work has not been completed by the end of its current mandate "the Agreement shall be extended to allow the Tribunal to complete its work, for a further period(s) to be determined by the Secretary-General in consultation with the Government [of Lebanon] and the Security Council."

As the work of the Special Tribunal is not complete, and in line with the recommendations of the late former President, Judge Antonio Cassese, and current President, Judge David Baragwanath, and having consulted with the Government of Lebanon and the members of the Security Council, I intend to extend the mandate of the Special Tribunal for a period of three years from 1 March 2012.

I would be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

12-23652 (E) 170212 170212

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United Nations S/2012/102

Security Council

Distr.: General
17 February 2012
English
Original: French

Letter dated 17 February 2012 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 16 February 2012 (S/2012/101), in which you express your intention to extend the mandate of the Special Tribunal for Lebanon for a period of three years from 1 March 2012, in accordance with Article 21, paragraph 2, of the Annex to Security Council resolution 1757 (2007), has been brought to the attention of the members of the Security Council, who take note of your intention.

(*Signed*) Kodjo **Menan**
President of the Security Council

12-23658 (E) 170212 170212

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